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Georgetown, KY 40324

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Joe ★ ★ ★ ★ ★
JARBOE
For State Senate

Ms. Rosemary F. Center
General Counsel
Kentucky Registry of Election Finance
140 Walnut Street
Frankfort, Kentucky 40601

Date: February 6, 2002

Subject: Request for Advisory Opinion

Dear Ms. Center:

As a result of the redistricting that finally occurred last Friday my district has become the 17th state senate district which encompasses Scott, Grant, and Owen counties as well as several southern precincts of Kenton county. More important is the fact that this new district is now an odd numbered one and the next scheduled election is for November 2004. I had filed to run in the old 30th state senate district last Dec. 6th, '01. I withdrew as a 30th district candidate yesterday.

Presently the incumbent in the 17th district is from Hazard and he has filed to run this fall in his newly formed home district, the 30th. Should he win that election it would trigger a special election here in the 17th district. If a special election is triggered by the 17th incumbent winning the 30th seat, then I understand that the respective parties, (democrat and republican) in each of the 17th district counties, select the candidate to run for the seat.

I request an advisory opinion on the following:

- a. May I retain the funds raised to date with the expectation that there MAY be a special election in the 17th senate district late in 2002 and I MAY be the republican candidate?
- b. If not my plan is to return the funds to the contributors. Is that acceptable?
- c. In either case, what are my reporting requirements?
- d. If there is no special election later to fill the district 17 senate seat could I retain the funds collected for a run in the 2004 elections and if so what would be those reporting requirements.

The redistricting has caused some unusual situations that it seems will take a full election cycle, approximately 2 1/2 years to remedy. Your help in this matter will be appreciated.

Respectfully,



Joseph K. Jarboe